

REMARKS

Claims 1-56 were pending and considered. Claims 1-21, 24-33, 38-43 and 45-56 were rejected. Claims 17-19, 22, 23, 34-37 and 44 were objected to. Claims 22, 23, 34-37 and 44 were indicated to contain allowable subject matter. In response, claims 10, 11 and 34 have been cancelled and claims 1, 4, 12-15, 17-19, 22, 24, 25, 27, 29, 45, and 52-54 have been amended. Accordingly, following entry of this amendment, claims 1-9, 12-33 and 35-56 remain pending. Reconsideration and allowance are respectfully requested.

Claims Indicated to Include Allowable Subject Matter

Claims 22, 23, 34-37 and 44 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form.

In response, claim 27 had been amended to include the limitations of claim 34, and claim 34 has been cancelled. Since claim 34 depended directly from claim 27, claim 27 as amended is claim 34 presented in independent form. Accordingly, Applicant respectfully submits that claim 27 should be allowed, and that claims 35-37 and 44, which depend from claim 27, are now allowable without amendment thereto, and without being rewritten individually in independent form.

Claim 1 has been amended to include the recitation from claim 22 of the press unit having a second fabric. Claim 1 has also been amended to include the recitation from claim 22 of the second fabric arranged between the fiber web and the first press element, which claim 1 identifies as an enclosure. The recitations now included in claim 1 have been deleted from claim 22. As amended, claim 22 continues to recite that the second fabric comprises more than three layers. Since it is believed that claim 1 as amended is allowable, amended claim 22 as amended remains dependent on claim 1, and claim 23 in its original form remains dependent on claim 22.

Claim Objections

Claims 17, 18 and 19 have been objected to. In response, each has been amended to include the terminology suggested by the Examiner. Accordingly, it is respectfully submitted that the objections to claims 17-19 have been overcome and should be removed.

Specifically, the Examiner objected to the use of “anti-wet fabric” in claims 17 and 19. In response, the phrase has been changed to --anti-rewet fabric--, as suggested by the Examiner. Accordingly, it is respectfully submitted that the objection to claims 17 and 19 has been overcome and should be removed.

Claim 18 was objected to for reciting “said first fabric”. In response, claim 18 has been amended to recite --said first anti-rewet fabric--, as suggested by the Examiner. Accordingly, it is respectfully submitted that the objection to claim 18 has been overcome and should be removed.

Claim 19 was objected to for reciting “said second anti-wet fabric”. In response, claim 19 has been amended deleting “anti-wet” so the claim now recites “said second fabric”, as suggested by the Examiner. Accordingly, it is respectfully submitted that the objection to claim 19 has been overcome and should be withdrawn.

Claim Rejections – 35 U.S.C. § 112

Claims 4 and 29 have been rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. In response, claims 4 and 29 have been amended removing the language the Examiner found to be indefinite. Accordingly, it is respectfully submitted that the rejection of claims 4 and 29 under 35 U.S.C. § 112 has been overcome and should be withdrawn.

Claims 17-21 have been rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. In response, claims 1 and 19 have been amended. Accordingly, it is respectfully submitted that the rejection of claims 17-21 has been overcome and should be withdrawn.

Specifically, claim 17, and claim 18 depending therefrom, have been rejected for the recitation in claim 17 of “said enclosure”, which the Examiner found to lack antecedent basis. In response, claim 1 has been amended to recite an enclosure, thereby providing antecedent basis for the recitation of “said enclosure” in claim 17 and claim 18 depending from claim 17.

As described above, claim 19 has been amended so that the recitations therein are consistent with terminology in the previous claims providing antecedent basis.

Claim 20 and claim 21 depending therefrom have been rejected for the recitation I claim 20 of “said second fabric”, which the Examiner found to lack antecedent basis. In response, claim 1 has been amended to recite a second fabric, thereby providing antecedent basis for the recitation of “said second fabric” in claim 20 and claim 21 depending from claim 20.

Claims 24-26 have been rejected under 35 U.S.C. § 112, second paragraph, with the Examiner stating that “at least one fabric” recited in claims 24 and 25 is unclear. Claim 26 depends from claim 25. In response, claims 24 and 25 have been amended to recite “at least one of said fabrics”. Further, claim 1 as amended recites “at least one anti-rewet fabric” and “a second fabric”. Claim 1 clearly and positively recites two fabrics and provides antecedent basis for the amended recitations in claims 24 and 25 of “at least one of said fabrics”. It is respectfully submitted that the amendments to claims 24 and 25 in view of amended claim 1 overcome the rejection of claims 24-26 under 35 U.S.C. § 112, and the rejection should be withdrawn.

Claims 45-51 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite in the recitation of “a clothing for a press unit” together with “a first anti-rewet fabric” and a “second fabric”. In response, the specification has been amended to describe papermaking machine 10

including an air press, conveyor rolls “and press unit clothing including a first fabric 18 and a second fabric 20.” Claim 45 has been amended to remove “A” at the start of the claim, and now recites “Clothing for a press unit ...” It is respectfully submitted that the amendment to claim 45, together with the amendment to the specification removes any indefiniteness with respect to claims 45-51. Accordingly, Applicant respectfully requests removal of the rejection.

Claim Rejections – 35 U.S.C. § 102

Claims 27, 28, 30-33 and 38-43 have been rejected under 35 U.S.C. § 102(b) as being anticipated by WO 98/56982 (Jeffrey).

Claim 27 has been amended to include all of the limitations of claim 34. Claim 34 depended directly from claim 27, and was indicated by the Examiner to be allowable if presented in independent form. Accordingly, claim 27, which now includes all of the limitations of claim 34, is claim 34 presented in independent form. Accordingly, claim 27 is allowable.

Claims 28, 30-33 and 38-43 all depend from claim 27. Each therefore includes all of the limitations of claim 27 while adding further specificity to the invention recited therein. Accordingly, each of claims 28, 30-33 and 38-43 is now allowable together with independent claim 27.

Claims 1-3, 5-9, 27, 28, 30-33 and 53 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,232,768 (Eklund et al.).

First, with respect to claims 27, 28, and 30-33, as discussed above, claim 27 now includes all limitations of claim 34, which was indicated to be allowable. Accordingly, claim 27 and all claims dependent therefrom, including claims 28 and 30-33 are allowable.

Eklund et al. discloses a wet press fabric to be used in a papermaking machine having a top press roll 2 and a bottom press roll 3 defining a press nip 1. A paper web 4 and a press fabric 5 are

carried through press nip 1. Press fabric 5 comprises a first layer 6 (a surface layer) and a second layer 7 (a barrier layer) having a base fabric 9 therebetween (column 4, lines 37-53).

Claims 1 and 53 have each been amended to recite a first press element being an enclosure containing pressurized fluid and the second press element being a counter element positioned opposite the enclosure. Each has been further amended to recite a second fabric having permeability equal to or less than the permeability of the first anti-rewet fabric. Each has been amended to recite the first anti-rewet fabric arranged between the fiber web and the counter element and the second fabric being arranged between the fiber web and the enclosure. Accordingly, the web is sandwiched between the anti-rewet fabric and the second fabric.

Eklund et al. discloses first and second rolls, not an enclosure containing pressurized fluid and a counter element in opposition to the enclosure, as recited in claims 1 and 53. Eklund et al. teaches a single fabric between the web and the bottom press roll, with the web in direct contact with the top press roll. Eklund et al. does not teach the web sandwiched between an anti-rewet fabric and a second fabric, as recited in claims 1 and 53. Accordingly, it is respectfully submitted that Eklund et al. does not anticipate the invention recited in amended claims 1 and 53 since numerous elements recited in claims 1 and 53 are not found in Eklund et al.. The present invention works well in an air press to avoid rewet of the web. Eklund et al. teaches nothing with respect to applications of fabrics in air presses. Accordingly, the present invention as recited in claims 1 and 53 is not obvious from the teaching of Eklund et al.

Claims 2, 3 and 5-9 depend from claim 1 and include all of the limitations thereof while adding further specificity to the invention recited therein. Accordingly, it is respectfully submitted that claims 2, 3 and 5-9 also should be allowed together with claim 1 from which each depends.

Claim 27 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,159,880 (Schiel).

Claims 27, 28, 31 and 33 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,541,895 (Albert).

With respect to these two rejections, Applicant again reiterates that claim 27 has been amended to include all of the limitations of claim 34, which the Examiner indicated to be allowable. Accordingly, claim 27 as amended is claim 34 in independent form, and claim 27 therefore is allowable. Claims 28, 31 and 33 depend from claim 27. Accordingly, it is respectfully submitted that each of claims 27, 28, 31 and 33 is allowable over the rejections on Schiel and Albert. Removal of the rejections is respectfully requested.

Claims 1-3, 5, 7, 8, 27, 28, 30, 31, 33 and 53 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,140,260 (Johnson et al.).

Again with respect to this rejection, Applicant reiterates that claim 27 has been amended to include all of the limitations of claim 34, which the Examiner found to be allowable. Claims 28, 30, 31 and 33 depend from amended claim 27. Accordingly, claims 27, 28, 30, 31 and 33 are allowable over the teaching of Johnson et al.

Johnson et al. disclose a pair of spaced press rolls 10 and 12 defining a nip therebetween. A papermaking felt 14 supports a paper web 16 as felt 14 and web 16 travel between rolls 10 and 12. Various constructs of the felt are shown in Figs. 7-13. Accordingly, similarly to Eklund et al., Johnson et al. discloses only a roll press and a single fabric between the web and one press roll, with the web in direct contact with the opposite press roll.

Claims 1 and 53 have each been amended to recite a first press element being an enclosure containing pressurized fluid and the second press element being a counter element positioned opposite the enclosure. Each has been further amended to recite a second fabric having permeability equal to or less than the permeability of the first anti-rewet fabric. Each has been amended to recite the first anti-rewet fabric arranged between the fiber web and the counter element and the second

fabric being arranged between the fiber web and the enclosure. Accordingly, the web is sandwiched between the anti-rewet fabric and the second fabric.

Johnson et al. discloses first and second rolls, not an enclosure containing pressurized fluid and a counter element in opposition to the enclosure, as recited in claims 1 and 53. Johnson et al. teaches a single fabric between the web and the bottom press roll, with the web in direct contact with the top press roll. Johnson et al. does not teach the web sandwiched between an anti-rewet fabric and a second fabric, as recited in claims 1 and 53. Accordingly, it is respectfully submitted that Johnson et al. does not anticipate the invention recited in amended claims 1 and 53 since numerous elements recited in claims 1 and 53 are not found in Johnson et al.. The present invention works well in an air press to avoid rewet of the web. Johnson et al. teaches nothing with respect to applications of fabrics in air presses. Accordingly, the present invention as recited in claims 1 and 53 is not obvious from the teaching of Johnson et al.

Claims 2, 3 and 5-8 depend from claim 1 and include all of the limitations thereof while adding further specificity to the invention recited therein. Accordingly, it is respectfully submitted that claims 2, 3 and 5-8 also should be allowed together with claim 1 from which each depends.

Claim Rejection – 35 U.S.C. § 103

Claims 10-16, 52 and 54-56 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,675,079 (Webster) in view of Eklund et al. and U.S. Patent 4,309,246 (Hulit et al.).

Claims 10-16 depended from claim 1, which is believed to be allowable for the reasons stated above. Since dependent claims 10-16 include all of the limitations of the claims from which they depend, and claim 1 is believed to be allowable, claims 10-16 should be allowed together with claim 1 from which they depend.

Claims 52 and 54 have been amended to recite methods including providing a second fabric having a permeability equal or less than a permeability of the anti-rewet fabric (claim 52) or the first fabric (claim 54). Claims 52 and 54 also have been amended to recite carrying the fiber web through the press nip sandwiched between the anti-rewet fabric (claim 52) or the first fabric (claim 54) on one side and the second fabric against the web on the opposite side. Claim 52 recites carrying the fiber web through the nip with the anti-rewet fabric between the web and the counter element, and the second fabric between the fiber web and the enclosure. Claim 54 recites carrying the fiber web through the nip with the second fabric between the fiber web and the air pressure chamber. It is respectfully submitted that the combination of Webster, Eklund et al. and Hulit et al. does not teach this invention. Accordingly, it is respectfully submitted that claims 52 and 54 should be allowed over the teachings of Webster, Eklund et al. and Hulit et al.

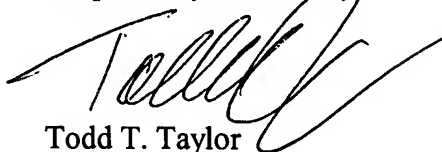
Claims 55 and 56 depend from claim 54, and include all of the limitations of claim 54 while adding further specificity to the invention recited therein. Accordingly, claims 55 and 56 should be allowed together with claim 54 from which each depends.

For the foregoing reasons, Applicant submits that the pending claims are definite and do particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Moreover, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



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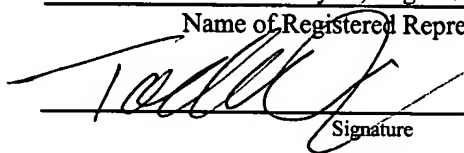
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Name of Registered Representative



Signature

March 20, 2006

Date